

NEW HAMPSHIRE LAW LIBRARY

1952

SEP 03 1998

Oct. 23

CONCORD, N.H.

Mr. Arthur E. Bean, Comptroller
Department of Administration & Control
State House

Dear Mr. Bean:

You have inquired as to whether or not the Hairdressers' Board and the Barbers' Board may spend up to the amount of their appropriation if revenues received by these respective boards are not sufficient to meet the appropriation. Revised Laws, chapter 157, section 7 relative to the Hairdressers' Board states in part:

"The compensation and expenses of the members of the board shall be paid by the state treasurer upon the warrant of the governor, but the total expenditures for such purpose shall not exceed the total monies received by the state treasurer under the provisions hereof."

Revised Laws, chapter 158, section 6 pertaining to the Barbers' Board states in part:

". . . provided that total expenditures hereby authorized shall not exceed the amount of monies received by the state treasurer from the board during the current year."

Chapter 256 of the Laws of 1951 at page 729 and 734 sets out the appropriation for the Barbers' Board and Hairdressers' Board respectively. In each instance a total appropriation shown equal to the estimated revenue for the board with no net appropriation.

Viewing the appropriation in the light of the basic statute creating these two boards, the only inference one can draw is that the Legislature intended that these boards be self-sustaining; that they live from their own revenues and that no general tax monies of the State be

C O P Y
- 2 -

Mr. Arthur E. Dean

October 23, 1952

used for their support. This undoubtedly raises a difficulty in the administration of these boards, but in light of their basic statutory prohibition against exceeding revenues, I see no answer other than that these boards are limited in their expenditures to the amount of revenues received even though this revenue be less than the total legislative appropriation.

Very truly yours,

Henry Dowst, Jr.,
Assistant Attorney General

HD:SM